

REMARKS

Claims 1-42 are pending. Claim 40 is amended. New claims 43-48 have been added. No new matter is introduced by virtue of the within amendments.

Reconsideration of the application, as amended, is requested in view of the remarks which follow.

As an initial matter, Applicant appreciates the indication of allowable subject matter, i.e. that claims 1-39 and 41-42 are allowed. In view of the remarks which follow, it is believed that claims 40 and 43-48 are also in condition for allowance.

Claim Rejections under 35 USC §102(b)

Claim 40 stands newly rejected under 35 USC §102(b) over Schmid et al. (US 6,080,503).

The rejection is traversed. The cited reference fails to teach or suggest the features of the present invention. Additionally, without acquiescing to the grounds for the rejection, claim 40 has been amended to clarify and further define the features of the invention.

Schmid et al. disclose an MEA 5 with an adhesive bonding agent 50 (see FIGS 3a-d). There may be grooves 54 located on the surfaces of the separator plates into which the adhesive bonding agent 50 is deposited.

In contrast, claim 40 recites a composite membrane electrode assembly (MEA) having a molded gasket bonded to the periphery of the MEA, wherein the gasket comprises at least one reactant manifold opening extending through the thickness thereof and at least one sealant channel or port defined by at least one elevated ridge, and

wherein the MEA comprises an ion conductive material interposed between two gas diffusion layers. Schmid et al. do not disclose or suggest at least such a structural configuration of an elevated ridge. Thus, claim 40 and each of the claims depending therefrom distinguish the subject invention from Schmid et al. and withdrawal of the rejection is respectfully requested.

Turning to claim 43, it further recites wherein the at least one elevated ridge is two parallel elevated ridges that define a raised channel therebetween. Claim 44 recites wherein the raised channel is substantially perpendicular the periphery at a location. Claim 45 recites further comprising a sealant introduced into the raised channel via the location. Claim 46 recites wherein the sealant closes off an unused port. Claim 47 recites further comprising components coupled to the gasket, the components defining at least one sealant hole for receiving the sealant to further close off an unused port. Claim 48 recites wherein the sealant bonds the gasket to a separator plate that encloses the raised channel. Schmid et al. do not disclose or suggest any such structures. Thus, for these additional reasons, claims 43-48 patentably distinguish over Schmid et al. and an action acknowledging the same is respectfully requested.

Lastly, Applicant kindly requests return (with the next paper mailed from the USPTO) of the initialed Form SB/08 to confirm entry and consideration of the Information Disclosure Statement filed by the undersigned Attorney on June 15, 2009

CONCLUSION

In view of the foregoing, Applicant believes the pending application is in condition for allowance.